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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-THIRD SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

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CONTENTS*

Chapter

XIII. IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

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* Documents E/CN.4/1997/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1997/L.11 and addenda.

XIII. IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

1. The Commission considered agenda item 13 at its 9th to 11th meetings, from 14 to 17 March, at its 68th and 70th meetings, on 18 April 1997. 1/

2. For the documents issued under agenda item 13, see annex ... to the present report. For a list of resolutions and decisions adopted by the Commission and statements by the Chairman, see annex ... to the present report.

3. At its 11th meeting, on 17 March 1997, the Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance, Mr. Glèlè-Ahanhanzo, introduced his reports (E/CN.4/1996/72/Add.2-4 and E/CN.4/1997/71/Add.1-2).

4. In the general debate on agenda item 13, statements 2/ were made by the following members of the Commission: Algeria (11th), Argentina (9th), Brazil (10th), China (9th), Cuba (10th), Egypt (9th), India (11th), Indonesia (11th), Nepal (9th), Netherlands (on behalf of the European Union) (9th), Pakistan (10th), Russian Federation (11th), South Africa (11th), Uganda (11th), United States of America (11th), Zimbabwe (11th).

5. The Commission heard statements by the observers for: Cyprus (11th), Iran (Islamic Republic of) (11th), Israel (11th), Libyan Arab Jamahiriya (11th), Senegal (10th), Syrian Arab Republic (11th), Turkey (11th).

6. A statement was also made by the observer for the International Labour Organization (9th).

7. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (10th), Afro-Asian Solidarity Organization (10th), Centre Europe-Tiers Monde (11th), Christian Solidarity International (9th), Himalayan Research and Cultural Foundation (11th), Human Rights Advocates (10th), International Association of Educators for World Peace (11th), International Federation of Human Rights Leagues (11th), International League for the Rights and Liberation of Peoples (10th), International Movement against All Forms of Discrimination and Racism (9th), International Youth and Student Movement for the United Nations (11th), Minority Rights Group (11th), Movement against Racism

and for Friendship among Peoples (10th), Women's International League for Peace and Freedom (10th), World Federation of United Nations Associations (10th).

Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

8. At its 68th meeting, on 18 April 1997, the Commission decided to consider together draft resolutions E/CN.4/1997/L.9/Rev.1 on measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance and E/CN.4/1997/L.12/Rev.1 on racism, racial discrimination, xenophobia and related intolerance.

9. The Observer for Turkey introduced draft resolution E/CN.4/1997/L.9/Rev.1, sponsored by Azerbaijan, Canada, Turkey, the United States of America and Uruguay. Bosnia and Herzegovina, Chile, the Dominican Republic, Israel and Norway subsequently joined the sponsors.

10. The Observer for Turkey orally revised the draft resolution as follows:

(a) At the end of the eighth preambular paragraph, the words "that under international law, racism is not an opinion but an offence," were deleted;

(b) In operative paragraph 1, after the words "Takes note" the words "with interest" were deleted;

(c) In operative paragraph 2, the word "full" before "support" was deleted;

(d) In operative paragraph 18, the word "necessary" before "assistance" was replaced by "appropriate".

11. At the same meeting, the amendments to draft resolution E/CN.4/1997/L.9/Rev.1, proposed by the delegation of Cuba (E/CN.4/1997/L.113) were withdrawn. The proposed amendments read as follows:

"1. After operative paragraph 4, insert the following new operative paragraph:

Also expresses its profound concern at and unequivocal condemnation of propaganda, activities and organizations based on doctrines of superiority of one race or group of persons, of one colour or belief-system which attempt to justify or promote racism and racial discrimination in any form;

"2. After operative paragraph 18, insert the following new operative paragraph:

Recommends to the General Assembly, through the Economic and Social Council, that the world conference on racism and racial discrimination, xenophobia and related intolerance to be convened not later than the year 2001;".

12. At the same meeting, the representative of Egypt introduced draft resolution E/CN.4/1997/L.12/Rev.1, sponsored by China, Cuba, Egypt (on behalf of the African Group), India, Indonesia, Nicaragua and Sri Lanka. Brazil, Chile, El Salvador, Indonesia, Sri Lanka and Turkey subsequently joined the sponsors.

13. The representative of Egypt orally revised the draft resolution as follows:

(a) The thirteenth preambular paragraph which read:

"Noting the conclusion contained in the final report of the Special Rapporteurs on freedom of opinion and expression of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/Sub.2/1992/9) that, under international law, racism is not an opinion but an offence,"

was deleted;

(b) Operative paragraph 11 which read:

"Also takes note of the conclusion of the Special Rapporteurs of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/Sub.2/1992/9) that, under international law, racism is not an opinion but an offence,"

was deleted, the subsequent paragraphs being renumbered accordingly;

(c) In former operative paragraph 14, the words "United Nations" were replaced by "General Assembly"; after "consider", the words "all ways and means of" were added; and after "Programme of Action" the words "through other means" were deleted;

(d) At the end of former operative paragraph 15, after "Programme of Action for the Third Decade", the words "to Combat Racism and Racial Discrimination" were added, and the words "and requests the General Assembly to consider, in taking its decision on the programme budget for the 1998-1999 biennium, ensuring that the financial and personnel resources

required for the implementation of the Programme of Action are adequately met, taking into account the above-mentioned report", were replaced by a new text;

(e) In former operative paragraph 22, "especially with regard to" was replaced by "with particular reference to";

(f) In former operative paragraph 26, after "Takes note", the words "with interest" were deleted;

(g) Former operative paragraph 43 was moved to become new operative paragraph 50;

(h) In former operative paragraph 44, a new subparagraph (a) was inserted, the subsequent subparagraphs being renumbered accordingly;

(i) In former operative paragraph 44 (a), before "instruments", the words "the implementation of the existing" was inserted, and the words "dealing with the fight against" were replaced by "to combat";

(j) In former operative paragraph 44 (b), after "awareness", the word "of" was replaced by "about";

(k) In former operative paragraph 44 (c), "fighting" was replaced by "combating", and the words "racism and racial discrimination" were replaced by "racism, racial discrimination, xenophobia and related intolerance";

(l) Former operative paragraph 44 (d) was moved to the end of the same paragraph; the words "racism and racial discrimination" were replaced by "racism, racial discrimination, xenophobia and related intolerance";

(m) In former operative paragraph 44 (e), "study" was replaced by "review"; after "social" the word "and" was deleted; and after "cultural" the words "and any other" were inserted;

(n) After former operative paragraph 45, a new operative paragraph was inserted (new operative paragraph 44), the subsequent paragraphs being renumbered accordingly;

(o) In former operative paragraph 49 (a), the words "to establish national or regional committees to prepare" were replaced by "to hold national or regional meetings or to take other initiatives in preparation";

(p) Former operative paragraph 49 (b) which read:

> "To request these national or regional committees to notify the Secretary-General of their establishment with a view to holding national or regional meetings no later than the year 1999;"

was deleted and subparagraph (c) renumbered (b).

14. Statements in connection with draft resolutions E/CN.4/1997/L.9/Rev.1 and E/CN.4/1997/L.12/Rev.1 were made by the representatives of Algeria, Bangladesh, Brazil, Canada (on behalf of Japan, Liechtenstein, Norway and Switzerland), Cuba, Egypt, India, Indonesia (on behalf of the Organization of the Islamic Conference) and Pakistan.

15. In accordance with rule 28 of the rules of procedures of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of both draft resolutions. In that regard, a statement of the estimated administrative and programme budget implications of draft resolution E/CN.4/1997/L.12/Rev.1 was issued in document E/CN.4/1997/L.115.

16. In connection with draft resolution E/CN.4/1997/L.9/Rev.1, as orally revised, statements in explanation of vote before the vote were made by the representatives of the United States of America and Uruguay.

17. In connection with draft resolution E/CN.4/1997/L.12/Rev.1, as orally revised, statements in explanation of vote before the vote were made by the representatives of the Netherlands (on behalf of the European Union) and the United States of America.

18. Draft resolution E/CN.4/1997/L.9/Rev.1, as orally revised, and E/CN.4/1997/L.12/Rev.1, as orally revised, were adopted without a vote. For the text of the resolutions as adopted, see chapter II, section A, resolution 1997/73 and resolution 1997/74.

19. At its 70th meeting, on 18 April 1997, following a proposal made at the 68th meeting by the representative of Indonesia (on behalf of the Organization of the Islamic Conference), the Chairman orally proposed a draft decision concerning the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

20. Statements in connection with the proposal were made by the representatives of Algeria, Bangladesh, Bulgaria, Egypt, Germany, the Netherlands and Pakistan.

21. The draft decision was adopted without a vote. For the text of the decision as adopted, see chapter II, section B, decision 1997/125.

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